

School Secretary's Guide

Prepared by the Office of the Iowa Secretary of State

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www.sos.state.ia.us/elections/candidates/index.html

For more information, please contact the Secretary of State's Office or the county auditor.

Important Note: The information provided in this guide has been compiled in the Iowa Secretary of State's Office to assist candidates and the public in meeting the requirements of Iowa's election laws. If any errors in compilation or computation have occurred, or if there have been amendments to the *Iowa Code* or *Iowa Administrative Code*, the provisions of the *Iowa Code*, *Iowa Administrative Code*, and the session laws shall prevail.



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Responsibilities and Planning Tips

Planning Worksheets

During April or May of odd-numbered years, the county auditor may provide you with a worksheet to review plans for conducting the school election. Please complete and return the planning worksheet to the county auditor. If you do not receive a worksheet, you can find one on the Secretary of State's website at www.sos.state.ia.us/elections/auditors/forms/index.html.

Public Measures

Before the filing period begins (64 days before the regular school election), check with the school board to see whether they wish to include any public measures on the September ballot.

Nomination Period

The school secretary is the filing officer for school election candidates. The school secretary must be available to accept petitions and affidavits. The school secretary may designate someone to accept nomination papers as long as the designated person is a full-time employee of the district.

On the last day for candidates to file nomination papers, the school secretary's office must be open until 5 p.m.

[§277.4]

Distributing Nomination Papers

Prepare a list of offices to be filled at the school election. Make the list available to the public. The list should include the following:

- The correct title for each office
- Whether the office is voted for by director district or at-large
- The minimum number of signatures needed to gain ballot access
- Indicate whether an office is on the ballot to fill a vacancy

Important Note: Any offices not expiring in this year that were filled by appointment between the last regular school election and 45 days before the date of this year's school election, must be included on the school election ballot as "To Fill Vacancy."

Nomination papers consist of an affidavit of candidacy and nomination petitions. Nomination papers and candidate guides are available on the Secretary of State's website at www.sos.state.ia.us/elections/electioninfo/schoolelections.html.

Provide nomination papers and candidate's guides to anyone who requests them. It is not necessary for the school secretary to fill out the headers of the petitions for candidates or record names of people who request papers.

Candidates may start circulating nomination papers at any time but petition signers must still be eligible electors of the school district at the time the petitions are filed with the school secretary.

Signature Requirements

Overview

Signatures must be valid at the time the petitions are filed. Petition signers must be eligible to register to vote in the school district, but they are not required to be registered voters.

Advise candidates that the specific numbers in the signature chart on page 4 represent the minimum number of signatures needed to get the candidate's name on the ballot. Candidates should collect and file more than the minimum number of signatures.

Regular School Elections

For regular school elections, the number of signatures needed is based on the number of registered voters in the school district as of May 1.

[IAC 721—21.500]

Director Districts

In school districts where directors must reside in a specific director district but are voted upon by the entire school district, the number of signatures needed is calculated from the number of registered voters in the entire school district. Petition signers may live anywhere in the school district.

In school districts where directors are only voted on by the residents of the director district, the number of signatures needed is calculated from the number of registered voters in the director district. Petition signers must live in the director district.

[§277.4(2)(a)]

Special School Elections

For special elections, the number of signatures needed is based on the number of registered voters in the school district or director district (if applicable) on the first day of the month preceding the month in which the election will be held. For example, if a special election is scheduled for April 5, the required number of signatures would be calculated using the registration numbers from March 1.

[§277.4(2)(a)]

Minimum Signature Requirements Chart

Registered Voters	Signatures Needed	Registered Voters	Signatures Needed
1-1,000	10	3,001 – 3,100	31
1,001 - 1,100	11	3,101 – 3,200	32
1,101 - 1,200	12	3,201 – 3,300	33
1,201 - 1,300	13	3,301 – 3,400	34
1,301 - 1,400	14	3,401 – 3,500	35
1,401 - 1,500	15	3,501 – 3,600	36
1,501 - 1,600	16	3,601 – 3,700	37
1,601 - 1,700	17	3,701 – 3,800	38
1,701 - 1,800	18	3,801 – 3,900	39
1,801 - 1,900	19	3,901 – 4,000	40
1,901 - 2,000	20	4,001 – 4,100	41
2,001 - 2,100	21	4,101 – 4,200	42
2,101 - 2,200	22	4,201 – 4,300	43
2,201 - 2,300	23	4,301 – 4,400	44
2,301 - 2,400	24	4,401 – 4,500	45
2,401 - 2,500	25	4,501 – 4,600	46
2,501 - 2,600	26	4,601 – 4,700	47
2,601 - 2,700	27	4,701 – 4,800	48
2,701 - 2,800	28	4,801 – 4,900	49
2,801 - 2,900	29	4,901 – 5,000	50
2,901 - 3,000	30	5,001 and over	50

Filing Period

The school secretary is the filing officer for school elections. The school secretary must be available to accept petitions and affidavits. The school secretary may designate someone to accept nomination papers as long as the designated person is a full-time employee of the school district.

Review the Filing Officer's Guide before the filing period begins. It provides information on how to receive and review nomination papers. The Filing Officer's Guide is available on the Secretary of State's website at: www.sos.state.ia.us/pdfs/elections/auditors/eah/filingofficer.pdf.

Dates of Filing Period

The filing period begins 64 days before the regular school election and ends at 5 p.m. on the 40th day before the election.

Important Note: School secretaries' offices are required by law to be open until 5 p.m. on the last day for candidates to file and on the last day for candidates to withdraw.

[§277.4(1)]

For specific dates in a given year, see the calendar in the School Candidate's Guide or the Auditor's Calendar for the School Election:

www.sos.state.ia.us/pdfs/elections/auditors/schoolcal.pdf.

Delivering Nomination Papers to the Auditor

On the day after the last day of the filing period, deliver the following information to the county auditor:

- All accepted nomination papers
- A copy of the official board action directing the county auditor to include public measures on the school election ballot (if any). The information given to the auditor must include the complete text of all public measures.

Important Note: Do not deliver nomination papers to the auditor's office before the filing period has ended. Nomination papers must be available for public inspection in your office until the end of the filing period.

[§277.4(3)]

Withdrawals

Candidate withdrawals must be submitted in writing to the school secretary by 5 p.m. on the 35th day before the election.

[§277.4(4)]

Important Note about Community College Candidates: There is no procedure specifically outlined in §260C for community college candidates to withdraw. There community college secretary should consult with the community college attorney for information on how to proceed if a withdrawal is filed.

Objections

Written objections to nomination papers must be submitted in writing to the school secretary or community college secretary by the 35th day before the election.

[§260C.15(4), 277.5]

Important Note: Notify the county auditor immediately after receiving any withdrawals or objections.

Vacancies

Overview

Vacancies on school boards are filled by appointment by the remaining members of the board unless:

- The vacancy reduces the number of board members below a quorum

OR

- The board has not made an appointment to fill the vacancy within 30 days after the vacancy becomes known by the school secretary. (The board must try to appoint.) [§279.6-7]

If either of these two things occurs, the vacancy must be filled by special election. Eligible electors may not petition to request a special election to fill a vacancy on a school board.

For more information on vacancies on school boards, see the Vacancies guide on the Secretary of State's website at www.sos.state.ia.us/pdfs/elections/auditors/eah/vacancies.pdf.

Appointments – Term of Office

The term of a person who was appointed to fill a vacancy is until the next election held for the school district, whether that is the regular election held in September of odd-numbered years or a special election for the school district.

Special Elections – Term of Office

If the school district must hold a special election, the person elected to fill the vacancy serves the remainder of the unexpired term.

Office Titles

When an office is on the ballot at an election because of a vacancy, the office title on the ballot must include the words "To Fill Vacancy." This will distinguish this office from others on the ballot for the usual four-year term.

Candidates must indicate on their nomination papers if they are seeking an office to fill a vacancy. If there is more than one vacancy and the vacant seats have terms ending at different times, the length or expiration date of the remaining term must be included on the nomination papers and on the ballots.

Timing of Vacancies

Resignation Announced – Director Will Step Down After Coming Election

If any board member announces 45 days or more before the September school election that he or she will step down and declares his or her resignation will be effective the next time officers will be sworn in (i.e. after the coming election), those seats must be filled as vacancies at the approaching election.

[§279.6]

Board Member Dies or Leaves Office

If, 45-70 days before the coming school election, any board members die or leave office, the board may decide to fill the vacancy at the coming school election instead of appointing a successor. Even if the board decides to appoint a successor, the office will need to be filled as “To Fill Vacancy” at the coming election. If the term was set to expire anyway, “To Fill Vacancy” does not need to appear on the ballot.

[§69.12(1)(a)(3)]

Special Elections

Public Measures

School districts and community colleges can only hold special elections for public measures on the following dates:

Odd-Numbered Years

- First Tuesday in February
- First Tuesday in April
- Last Tuesday in June
- Second Tuesday in September (date of regular school election)

Even-Numbered Years

- First Tuesday in February
- First Tuesday in April
- Second Tuesday in September
- First Tuesday in December

[§39.2(4)©]

Notice of Election to Auditor

Unless the law authorizing the special election requires that you provide more advance notice, you must notify the county auditor not less than 46 days before the desired date of a special election for a public measure.

Deliver to the auditor the following:

- Action by the board setting the election date
- Full text of the public measure to be submitted to the voters

Check for Vacancies

If the school district has a special election for a public measure, any seats previously filled by appointment must be filled by the voters at the special election (unless the officeholders have already been elected at a previous special election after their appointments).

To Fill Vacancy Special Elections

If the special election is being held to fill a vacancy due to the failure of the board to appoint or because there is no quorum, the election may be held on any Tuesday except:

- The three Tuesdays immediately before and the three Tuesdays immediately after the primary and general elections in even-numbered years
- The day of the primary and general election in even-numbered years
- The day of a city primary or city runoff election
- The day of elections for other jurisdictions without the approval of the county auditor

[§39.2]

The school board chooses the date for the special election. The county auditor may refuse to conduct the election on the date requested only if the special election called by the school board will conflict with another previously scheduled election.

[§47.6]

Important Note: Community colleges are not allowed to hold special elections only to fill vacancies. However, if the community college is holding a special election on a public measure as authorized by §39.2(4) and there is a vacancy on the community college board of trustees which occurred more than 45 days before the upcoming special election that is currently filled by an appointee, that seat must go on the ballot as “To Fill Vacancy” at the time the special election is held for the public measure.

[§69.12(1)(a)(3), 260C.11]

Filing Deadlines

The candidate filing deadline for a special school election to fill a vacancy is 25 days before the special election (always a Friday) at 5 p.m.

Deliver all documents to the county auditor 22 days before the election (Monday) by 5 p.m.

[§279.7]

Special Public Measure School Elections Planning Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
51	50	49	48	47	46 Last day to request special election	45
44	43	42	41	40	39	38
37	36	35	34	33	32	31
30	29	28	27	26	25 Candidates' Filing Deadline (if any vacancies exist, they must be filled at the special election)	24
23	22 Deliver nomination papers to auditor	21	20 First day to publish notice of election	19	18	17
16	15 Worry free postmark date	14	13	12	11 Voter pre-registration deadline	10
9	8	7	6	5	4 Last day to publish notice of election	3
2	1	Election Day	1	2	3	4
5	6 County canvass of votes or	7 County canvass of votes	8	9	10	11
12	13	14	15	16 Deadline for swearing in new directors (if canvass held on Monday)	17 Deadline for swearing in new directors (if canvass held on Tuesday)	18

Your School as a Polling Place

It is very likely that one or more buildings in your school district are used as polling places for the school election and/or for other elections. Iowa law requires that necessary space in buildings supported by taxation be made available without charge for use as a polling place. The following list of regularly scheduled elections may be helpful to you. Other special elections may be held at other times during the year. Your county auditor will notify you if any special elections need to be held.

Election	Month	Day	Year	Polls Open
Primary	June	First Tuesday after the first Monday	Even *	7 am – 9 pm
General	November	First Tuesday after the first Monday	Even	7 am – 9 pm
School	September	Second Tuesday	Odd*	7 am – 8 pm OR Noon – 8 pm
City Primary	October	Tuesday four weeks before regular city election, if needed.	Odd	7 am – 8 pm OR Noon – 8 pm
Regular City	November	First Tuesday after the first Monday	Odd	7 am – 8 pm OR Noon – 8 pm
City Runoff	December	Tuesday four weeks after regular city election, if needed	Odd	7 am – 8 pm OR Noon – 8 pm
Special	Any	Any Tuesday, if held to fill a vacancy. Only on an authorized Tuesday, if held to vote on a public measure. See page 9.	Both	7 am – 8 pm OR Noon – 8 pm 7 am – 9 pm (partisan elections)

* “Even” refers to even-numbered years.

* “Odd” refers to odd-numbered years.

Additional Resources

1. County Auditor's Office

Contact your local county auditor's office with questions. You can find contact information for county auditors at the following website:

www.sos.state.ia.us/elections/auditors/auditorslist.html

2. School District Attorney

Your county auditor may refer you to your school district attorney. If you or the county auditor is unsure of the answer to a question, the best place to go for advice is the school district attorney.

3. Secretary of State's Office

The SOS Office is open Monday through Friday from 8:00 a.m. to 4:30 p.m. For questions, call (515) 281-0145 or the toll-free hotline 1-888-SOS-VOTE.

You may also contact the Elections Division via email at sos@sos.state.ia.us.

The SOS Office has a website which is set up to serve as a resource for the general public, for candidates, for county auditors, and for city clerks and school secretaries. You can use the website to retrieve everything from general information about voting in Iowa to specific planning worksheets to help you prepare for elections. Please make use of the website.

The following items are available on the SOS website and will be of assistance to you:

- **Auditor's Calendar for the School Election**

www.sos.state.ia.us/pdfs/elections/auditors/schoolcal.pdf

The Elections Division produces auditor's calendars for each election. The calendars are a chronological list of things that must be done to prepare for each election and a chronological list of things that must be done following election day.

- **Election Forms Library**

www.sos.state.ia.us/elections/auditors/forms/index.html

The Election Forms Library contains all the forms produced by the SOS Office. The Library is organized by category of uses and alphabetically to help locate specific forms easily.

- **Candidate Guides**

www.sos.state.ia.us/elections/electioninfo/schoolelections.html

Candidate guides are compiled by the Elections Division to assist candidates and the public in meeting the requirements of Iowa's election laws. School secretaries are encouraged to furnish candidate guides and nomination papers to all potential candidates.

- **Additional Guides**

The Elections Division also creates guides for use by other people and groups. Some of these other publications were mentioned in this guide:

1. Filing Officer's Guide

www.sos.state.ia.us/pdfs/elections/auditors/eah/filingofficer.pdf

2. Vacancies Guide

www.sos.state.ia.us/pdfs/elections/auditors/eah/vacancies.pdf